

INFORMATION LETTER

Not for
Publication

NATIONAL CANNERS ASSOCIATION

For Members
Only

No. 606

Washington, D. C.

June 20, 1936

CHICAGO CHOSEN FOR CONVENTION

Provisions Made for Handling Anticipated Increase in Attendance

The thirtieth annual convention of the National Canners Association, National Food Brokers Association, and the Canning Machinery and Supplies Association will be held in Chicago. The date, as previously announced by President Howard A. Orr of the National Canners Association, will be the week of January 24, 1937.

This will be the tenth consecutive meeting of the three associations to be held in Chicago, with a constantly increasing attendance. In the beginning it was possible to accommodate the members of the three associations comfortably at the Stevens Hotel. Owing to the growth in attendance, it has been necessary for the past two years to call on other hotels for accommodations. This year an arrangement has been made with a number of the larger hotels nearby to set aside rooms to take care of those attending the convention, and the facilities offered by these hotels will, it is believed, be equally satisfactory.

It is planned, of course, to provide rooms at the Stevens for as many members of the Association as can be accommodated in the rooms assigned for the Association's use. Member firms naturally desire that their executives be located in the headquarters hotel, and have rooms there for office purposes. It is hoped, however, that members who have a number of representatives at the convention will arrange also to use the facilities of other hotels, so that the Association can take care of a larger number of principals and executives at the Stevens. The cooperation of all members is invited to that end.

Emergency Freight Rates Continued

The Interstate Commerce Commission announced on June 12th a decision authorizing the continuance of the present emergency charges, in connection with rail and rail-water freight rates, with certain modifications, for an additional period of six months after June 30, 1936, the date originally fixed for their expiration. The petition of the applicant carriers for permission to continue the charges indefinitely was denied by unanimous vote of the Commission. Commissioners Aitchison, Porter, and Tate dissented from the decision insofar as it authorized any continuance of the charges.

The Commission found that the maximum charge of 15 cents per ton on coal and coke should be reduced to 10 cents, and that the charge on iron ore should be lowered from 10 cents to 8 cents per net ton. The charges on unmanufactured tobacco, flaxseed screenings, so-called woods of value, and ores and concentrates not otherwise indexed by name, were removed. On iron pyrites, rough stone, and ter-

razzo aggregate the maximum charge was reduced to 1 cent per 100 pounds. The maximum charge on raw peanuts was reduced to 3 cents per 100 pounds and that on pig iron to 25 cents per gross ton. A slight change was made in the basis of the charges on sand, gravel, crushed stone and kindred commodities.

House Passes Amended Copeland Bill

Under a suspension of the rules with provision for forty minutes debate, the House late Friday afternoon passed the Copeland Bill as reported by the House Committee on Interstate Commerce. The vote was 151 to 27. Should the Senate accept the House amendments, the legislation would be completed. If not, the bill will go to conference with little or no chance of final enactment. Amendments made by the House Committee in the Senate bill were described in the INFORMATION LETTER for May 29th. One House amendment would permit establishment of grade labeling.

LABOR RELATIONS ACT

Held Invalid as Applied to Labor Disputes in Manufacturing Activities

In an opinion rendered June 15th the United States Circuit Court of Appeals for the Fifth Circuit held the Wagner-Connelly National Labor Relations Act inapplicable to a dispute between an employer and his employees engaged solely in the manufacture and production of steel. Relying upon the decision of the Supreme Court in the *Guffey Coal Case* (See INFORMATION LETTER of May 23rd at p. 4955) the court held such manufacturing activities to be purely local and hence beyond the regulatory power of Congress under the commerce clause.

The fact that the steel was manufactured for shipment in interstate commerce, that the raw materials had been imported from other states, and that a strike might impede such activities were declared not to be sufficient to constitute a "direct effect" upon interstate commerce justifying regulation by Congress. The court said:

"That the employer has a very large business—the interruption of which by a strike of employees which might happen, and that in consequence of such strike production might be stopped and interstate commerce in the products affected—does not make the regulation of the relation justified under the commerce power of Congress, because the possible effect on interstate commerce is too remote to regulate the employer-employee relation. Nor is it important that the employer imports part of his raw materials in interstate commerce and sells and exports a large part of his product in interstate commerce, which imports and exports would possibly be stopped by a possible strike. The employer's

entire business thus connected together does not, as respects Federal power, make a case different from that in which importation of materials, manufacture of them, and sale and export of the product are conducted by three persons. The employer here, by doing all three things, does not alter the respective constitutional spheres of the Federal and State Governments. The making and fabrication of steel by Jones & Laughlin Steel Corp. is production regulable by the State of Pennsylvania, notwithstanding the corporation also engages in interstate commerce regulable by Congress in bringing in its raw materials and again in selling and delivering its products. No specific present intent appears to impede or destroy interstate commerce by means of a strike in a manufacturing plant, or other like direct obstruction to or burden on interstate commerce. The order we are asked to enforce is not shown to be one authorized to be made under the authority of Congress."

It should be noted that the decision is limited solely to the applicability of the Act to manufacturing activities. The decision has no bearing upon the applicability of the statute to activities admittedly interstate in character, or upon its validity as so applied.

SUGGESTIONS ON LABELING

Letters Relating to "Juice From Dried Prunes" are of General Interest

In planning a new label it is of the utmost importance to study carefully every feature of the proposed label, including the vignette, the arrangement and substance of the printing, and any designs or devices that may be on the label. Care should be taken to have all labels give the maximum information to the consumers, and it is especially important that the label carry no statement, design, or device which may lead consumers to be misinformed.

In this connection there are given below two letters written by Mr. W. C. Campbell, Chief of the Food and Drug Administration, regarding labels proposed for prune juice manufactured from dried prunes, but containing statements of such general application that they should be read by all canners. Under date of June 6, 1934, the Food and Drug Administration wrote a manufacturer in part as follows:

"We have your letter of May 28 with further reference to the labeling of your beverage prepared from dried prunes.

"You request our opinion of the designation 'Prune Juice—An Aqueous Extraction of Dried Prunes,' the words 'Prune Juice' to be in one line and the balance immediately below in small type.

"As we have previously advised you, we do not regard the unqualified term 'prune juice' as applicable to the aqueous extract of dried prunes, and we feel that any explanatory legend interpreting the designation 'Prune Juice' should appear in letters of equal prominence with the term 'Prune Juice'. If you give adequate prominence to the legend 'An Aqueous Extraction of Dried Prunes' and the legend appears in immediate conjunction with the term 'Prune Juice,' so that it will not be overlooked by the purchaser, we are not disposed to raise objection to this designation for your product. This is, of course, without prejudice to future labeling requirements should it develop that the designation 'Prune Juice' in the labeling is confusing and misleading to the public. We should want to see a sketch of the proposed label before commenting with finality on the suggested designation. It

occurs to us that the term 'water extract of dried prunes' might to some consumers, at least, be more informative than 'aqueous extraction'."

Later the lithographer for this firm submitted a revised label for comment and under date of September 13, 1934, the Food and Drug Administration replied in part as follows:

"Reference is made to the enclosed artist's sketch of label for '— Brand Juice of Dried Prunes' which you left at the Food and Drug Administration on September 13 for comment from the standpoint of the Food and Drugs Act.

"We assume that the composition of this article is the same as that discussed in our letter of June 6, 1934, to — Company. At the request of this firm we suggested a form of labeling for this product in our letter of June 6, which we note has not been wholly followed in the label you submitted to us. However, we have no adverse comment to offer on the name which has been chosen, 'Juice of Dried Prunes,' if followed by the declaration of the percentage of lemon juice, and if the legend 'extracted with pure water from Santa Clara prunes' is brought closer to the name of the article so that it appears on the main panel and not on the side panel. The phrase 'pleasing flavor of natural prunes' should be changed to show that the flavor is that of dried prunes and not of fresh prunes, as the phrase suggests.

"We cannot sanction the pictorial representation of fresh prunes on a product of this kind since it may readily lead to the inference by the casual observer that the article is, in fact, derived from fresh prunes. You pointed out the difficulty in designing an attractive vignette of a dried prune. As we advised you, there is no necessity so far as the Food and Drugs Act is concerned for any fruit design. If a design is desired by the manufacturer, it must not be misleading in any particular."

In sending copies of these letters to the Association, Mr. Campbell said:

"From these two letters it will be seen that we have not objected to either of the two designations 'Juice of Dried Prunes' or 'Prune Juice', if in each case the name chosen is properly qualified by an explanatory statement to make it clear that the article is not the juice pressed from the fresh prune plum."

Navy Seeks Bids for Canned Foods

The Bureau of Supplies and Accounts of the Navy Department is asking for bids on various canned products. Schedules on which to submit bids may be obtained from the Bureau at the Navy Department in Washington, D. C. Following are the products, schedule numbers, and dates on which bids must be filed:

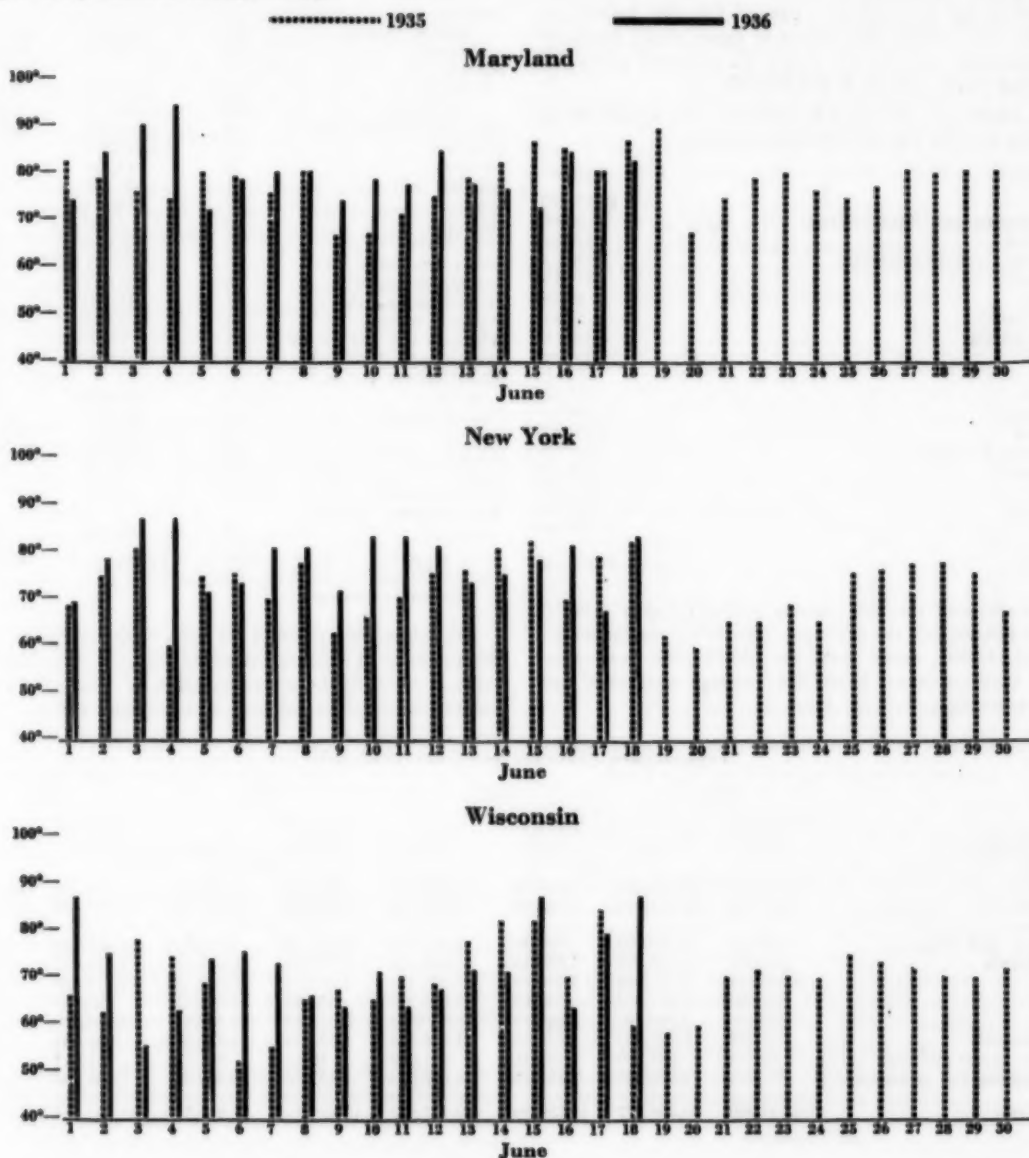
Canned figs, schedule 8172, July 10
Canned pears, schedule 8175, July 21
Canned pineapple, schedule 8176, July 21
Canned peaches, schedule 8177, July 21
Canned peas, schedule 8178, July 28

Vegetable Variety Trials in Pennsylvania

Reports of variety trials of peas, sweet corn, tomatoes and spinach conducted in 1935 at the Pennsylvania State College are contained in mimeographed circulars recently issued by the Experiment Station. Copies may be had upon request addressed to the station at State College, Pennsylvania.

TEMPERATURES IN PEA CANNING DISTRICTS

The following charts show the effective growing temperatures for peas in Maryland, New York, and Wisconsin for June, 1935, and to date for June, 1936. They are based on reports from selected stations of the U. S. Weather Bureau in the three states. The "effective temperature" is the peak temperature adjusted to allow for the relation between peak temperature and hourly readings.



National Kraut Packers Annual Meeting

The annual meeting of the National Kraut Packers Association will be held at Hotel Rieger in Sandusky, Ohio, on Wednesday, July 8th. At this meeting officers for the en-

suing year will be elected. On the day preceding the annual meeting the kraut and allied industries golf tournament will be held at the Plum Brook County Club.

STATISTICS OF FISH CANNING IN 1935

Complete statistics on the output of the fish canning industry in 1935 have been published by the U. S. Bureau of Fisheries, along with a summary of comparative figures for earlier years. According to these statistics 375 plants were engaged in the production of canned fish and by-products in 1935. The canned fish output of these plants amounted to 672,731,820 pounds, or 17,433,721 standard cases (48 one-pound cans), valued at \$74,993,719.

The output of canned fish products, not including by-products, in 1935 was as follows, by states:

| State | Value |
|--------------------------------|-------------|
| Maine | \$6,073,550 |
| Massachusetts and Rhode Island | 1,132,822 |
| New York | 579,028 |
| New Jersey and Pennsylvania | 1,018,338 |
| Maryland | 371,156 |
| Virginia | 88,253 |
| North Carolina | 81,231 |
| South Carolina | 336,748 |
| Georgia | 850,991 |
| Florida | 334,618 |
| Alabama | 337,108 |
| Mississippi | 2,154,917 |
| Louisiana | 2,173,008 |
| Texas and Wisconsin | 328,916 |
| Washington | 4,955,117 |
| Oregon | 2,851,987 |
| California | 25,252,965 |
| Alaska | 26,072,966 |
| Total | 74,993,719 |

By-products of the fish canning industry had a value in 1935 of \$29,486,098, the principal items being marine animal oils, \$13,147,900; scrap, meal, etc., \$5,707,993; fresh-water mussel shell products, \$4,057,876; marine pearl-shell products, \$3,856,865.

The following table gives the details on plant and output of the individual products:

| Product | Number of plants | Standard cases | Value |
|-------------------------------|------------------|----------------|-------------|
| Salmon: | | | |
| United States | 32 | 894,768 | \$6,707,130 |
| Alaska | 99 | 5,133,122 | 25,768,136 |
| Sardines: | | | |
| Maine | 22 | 1,655,839 | 5,142,750 |
| California | 23 | 2,420,055 | 6,237,262 |
| Tuna and tunalike fishes | 14 | 2,510,828 | 12,823,729 |
| Mackerel | 29 | 1,812,218 | 4,975,677 |
| Alewives | 6 | 15,256 | 37,682 |
| Alewife roe | 26 | 30,120 | 206,045 |
| Shad | 7 | 10,507 | 36,044 |
| Shad roe | 8 | 2,493 | 73,064 |
| Fish flakes | 3 | 36,070 | 321,848 |
| Fish cakes, balls, etc. | 6 | 80,961 | 604,778 |
| Cat and dog food | 6 | 475,667 | 1,303,757 |
| Miscellaneous fish | 11 | 15,320 | 183,226 |
| Sturgeon caviar | 5 | 2,834 | 389,238 |
| Whitefish roe and caviar | 4 | 1,286 | 49,921 |
| Salmon eggs (for bait) | 10 | 3,870 | 73,239 |
| Miscellaneous roe and caviar | 4 | 20,810 | 168,842 |
| Clam products | 79 | 665,681 | 2,676,895 |
| Oysters | 46 | 500,885 | 2,044,903 |
| Shrimp | 46 | 1,086,345 | 4,721,872 |
| Crabs | 16 | 7,300 | 117,727 |
| Turtle products | 4 | 3,271 | 52,055 |
| Miscellaneous shellfish, etc. | 13 | 40,215 | 277,899 |
| Total | * 375 | 17,433,721 | 74,993,719 |

* Eliminates duplications.

The volume and value of the pack of the principal canned fish products in 1935 as compared with the three preceding years is given in the following table, in which the pack is reduced to standard cases of 48 one-pound cans:

| Products | 1932 | | 1933 | | 1934 | | 1935 | |
|-----------------------------|----------------|-------------|----------------|-------------|----------------|-------------|----------------|-------------|
| | Standard Cases | Value | Standard Cases | Value | Standard Cases | Value | Standard Cases | Value |
| Salmon: | | | | | | | | |
| Pacific | 654,460 | \$4,744,162 | 1,136,861 | \$7,865,903 | 901,206 | \$8,205,947 | 894,768 | \$6,707,130 |
| Alaska | 5,254,509 | 21,715,918 | 5,225,604 | 28,376,014 | 7,481,830 | 37,611,950 | 5,133,122 | 25,768,136 |
| Sardines: | | | | | | | | |
| Maine and Mass. | 545,697 | 1,370,050 | 980,906 | 2,397,348 | 1,142,730 | 3,315,190 | 1,655,839 | 5,142,750 |
| California | 953,981 | 2,358,399 | 1,539,446 | 3,805,168 | 1,970,047 | 5,481,391 | 2,420,055 | 6,237,262 |
| Tuna | 1,206,177 | 6,183,019 | 1,443,133 | 6,934,485 | 1,966,943 | 10,009,542 | 2,510,828 | 12,823,729 |
| Oysters | 392,664 | 1,007,624 | 348,130 | 1,076,318 | 438,542 | 1,871,060 | 500,885 | 2,044,903 |
| Shrimp | 758,106 | 2,594,980 | 860,462 | 3,479,477 | 1,021,822 | 4,403,077 | 1,086,345 | 4,721,872 |
| Clam products | 371,288 | 1,797,002 | 434,500 | 1,766,406 | 633,055 | 2,713,228 | 665,681 | 2,676,895 |
| Fish, roe, caviar and eggs | 39,374 | 635,720 | 42,912 | 635,549 | 46,852 | 821,528 | 61,413 | 960,349 |
| Miscellaneous fish products | 357,724 | 1,978,028 | 1,147,926 | 4,098,844 | 1,822,727 | 6,409,957 | 2,566,198 | 8,871,042 |
| Total | 10,533,980 | 44,384,902 | 13,159,880 | 60,435,512 | 17,425,754 | 80,842,870 | 17,495,134 | 75,954,068 |

Bulletin Issued on the Pea Moth

The Washington Agricultural Experiment Station has recently issued a bulletin (No. 329) entitled "The Pea Moth", which discusses possible control of this pest and includes a number of illustrations showing the life history of the insect

and the nature of the injury to peas. Copies may be had upon request directed to the Experiment Station at Pullman, Washington.

SHRIMP INSPECTION REGULATIONS

Revision Follows Appropriation of Funds for Payment of Inspectors

Under date of June 15th the Department of Agriculture promulgated revised regulations governing the inspection of canned shrimp. There is no significant change in these regulations from the former regulations except that Congressional appropriation for the personal service of sea food inspectors during the coming fiscal year has resulted in a reduction in fees and a change in the basis for their collection.

The following is quoted from a letter from Mr. W. G. Campbell, Chief of the Food and Drug Administration, dated June 16th, transmitting these revised regulations to packers of canned shrimp.

"Those packers who have had the service and desire to continue or resume it after June 30 should fill out the 'Application for Renewal of Inspection of Sea Food'. Firms who have not been under inspection, but desire the service to begin July 1 or thereafter, should fill out the form 'Application for Inspection of Sea Food'.

"Applications for inspection should be submitted as promptly as practicable. In order to insure prompt installation of the service at any time during August or September all applications for service to begin during those months should be received by July 6.

"Those packers who have been under inspection but who do not desire to resume the service after June 30 must give written notice of termination of inspection as prescribed by Regulation 14 (c).

"Packers whose establishments are in Texas, Louisiana, Mississippi, or Alabama should submit their applications for inspection and requests for approval of labels to Chief of Station, Food and Drug Administration, 225 U. S. Custom House, New Orleans, La. Packers whose establishments are in Florida or Georgia should submit their applications and requests to Chief of Station, Food and Drug Administration, 416 New Post Office Building, Atlanta, Ga."

CROP CONDITIONS

Various state associations have reported the following conditions of canning crops in their respective districts.

MAINE.—The Maine pea crop is reported to be in excellent condition. Packing will begin early in July. Corn crop, despite some uneven stands, is in generally good condition. Snap bean crop also in good condition. Recent bountiful rains have covered the entire state.

NEW YORK.—Most of the canning crops in New York state have been improved by showers. Rain came too late, however, to improve the early pea crop, which is reported to be only fair. Aphid infestation is quite widespread in this state but it is being controlled fairly well by the alertness of canners. Packing will begin in volume during the week of June 22.

INDIANA.—The state has received scattered showers during the week which have not benefited crops because of hot dry winds. Southern Indiana particularly is suffering from lack of rainfall. Northern Indiana is also becoming quite dry. Tomato plants and sweet corn are growing very slowly.

The early pea pack is finished and packing of sweet peas is just beginning.

IOWA.—Scattered rains during the week have maintained moisture in Iowa and Nebraska. Temperatures have been very high during the last few days. Corn is growing rapidly but stands are irregular. There is some insect damage but nothing serious. The condition of both corn and tomatoes is about average for this time of year.

MINNESOTA.—Temperature during the past week in Minnesota has been favorable for proper development of peas but soil is getting dry. No aphid infestation is reported in peas. Packing began June 18. Corn crop has suffered from worm and frost damage and is growing slowly because of cool weather.

The following table gives the average temperature and total rainfall for the principal pea growing districts for each of the last two weeks, as shown by the U. S. Weather Bureau reports for selected stations in these districts:

| District | Week ended— | | | |
|---|--------------|------|---------------|------|
| | June 9, 1936 | | June 16, 1936 | |
| | Temp. | Rain | Temp. | Rain |
| Maine | 64 | .0 | 62 | 2.0 |
| Western New York | 66 | .3 | 68 | .3 |
| Tri-States | 74 | .5 | 73 | .5 |
| South Central Ohio | 70 | .8 | 70 | 1.2 |
| Central Indiana | 68 | 2.8 | 72 | .1 |
| Central Illinois | 69 | .0 | 69 | .4 |
| Northern Illinois, Southern Wisconsin | 62 | .4 | 65 | .1 |
| Southern Minnesota | 61 | 1.7 | 65 | .0 |
| Northern Colorado | 64 | .4 | 70 | .9 |
| Northern Utah | 61 | .6 | 73 | .0 |
| Northwestern Washington | 60 | 2.0 | 65 | .2 |
| Southeastern Washington | 61 | .6 | 72 | .2 |

PEA STANDARD REVISED

Regulations Promulgated on May 8th Amended by Food and Drug Administration

There is given below the text of a further revision of the McNary-Mapes Regulations for canned peas, which was promulgated by the Secretary of Agriculture under date of June 19th, and copies of which are being mailed to all pea canners by the Department of Agriculture. This revised regulation is identical with the revision of the regulations for canned peas promulgated by the Secretary of Agriculture under date of May 8th, except that the provision relating to the per cent of sinkers in 1.12 specific gravity brine is omitted, and that the limit for alcohol insoluble solids is increased from 23 per cent to 23.5 per cent.

Following is the text of the regulations as promulgated on June 19th and effective 90 days from that date:

Canned Peas

STANDARD OF QUALITY AND CONDITION

60. Standard canned peas are the normally flavored and normally colored canned food consisting of the immature, unbroken seed of the common or garden pea (*Pisum sativum*), with or without seasoning (sugar, salt), and with or without added potable water. The product is practically free from foreign material and, in the case of products containing added liquid, the liquor present is reasonably clear.

MEANING OF TERMS

61. The term "normally colored," as it relates to the peas, means a naturally developed general effect of green, except that not to exceed 4 per cent by count of off-colored peas, such as brown, brown-spotted, white, or yellowish-white peas may be present.

62. The peas are "immature" (1) if 90 per cent or more by count are sufficiently soft so that either cotyledon is crushed by a weight of less than 907.2 grams (2 pounds), (2) if the alcohol insoluble solids of the drained peas do not exceed 23.5 per cent, and (3) if less than 25 per cent of the peas by count are swollen to such an extent as to rupture the skin sufficiently to separate the broken edges one-sixteenth inch or more.

63. The pea seed is "unbroken" if 80 per cent or more of the units by count are in such a condition that the two cotyledons are still held together by the skin, even though the cotyledons may be cracked or partially crushed, or the skin split. Each major portion of a skin or cotyledon not included in the above definition is counted as a broken pea.

64. The peas are "practically free from foreign material" when they are entirely free from material which varies greatly in size or specific gravity from peas, such as stones, large pieces of pea shell, sticks; and when they contain per each 2 ounces of net contents not more than one piece of material which closely approximates peas in size and specific gravity, such as thistle buds, daisy heads, portions of radish-seed pods. The difficulty of absolute freedom from the latter class of foreign material occasionally renders its complete exclusion impracticable.

65. The liquor is "reasonably clear" when it is not badly clouded and does not contain considerable sediment.

PREPARATION AND EXAMINATION OF SAMPLE

66. Transfer the contents of the can to a dish, mix and remove a sample of 100 to 200 peas to be used in tests provided in paragraphs 61, 62 (1) and (3), and 63. Place these peas in a dish of appropriate size, cover them with liquor if liquor is present, and keep dish covered to prevent evaporation until the tests are actually made. Cover the remainder of the sample in the same manner and reserve for tests provided in paragraphs 62 (2), 64 and 65.

67(a). Determine if 90 per cent of the peas are "sufficiently soft" (paragraph 62 (1)) by the following method: Remove the skin of the pea and place one cotyledon on its flat surface on a horizontal, smooth plate. By means of a second horizontal, smooth plate apply vertically an initial load of 100 grams, and increase the load at a uniform, continuous rate of 12 grams per second until the cotyledon is compressed to one-fourth its original thickness.

67(b). Determine percentage of alcohol insoluble solids in the drained peas (paragraph 62 (2)) as follows: Pour the sample, provided for this test in paragraph 66, on an 8-mesh screen, using an 8-inch screen for containers of less than 3 pounds net weight, and a 12-inch screen for larger containers. Spread the peas evenly and allow to drain. Reserve liquor, if any, for test provided in paragraph 65. Transfer peas to a white pan and remove any foreign material for tests provided in paragraph 64. Add a volume of water equal to double the volume of the original sample. Pour back on the screen, spreading the peas evenly, tilt the screen as much as possible without shifting the peas and drain for 2 minutes. With a cloth wipe surplus moisture from lower surface of screen, grind the drained peas in a food chopper, stir until homogeneous and weigh 20 grams of the ground

material into a 600 cc beaker. Add 300 cc of 80 per cent alcohol (by volume), stir, cover beaker and bring to a boil. Simmer slowly for one-half hour. Fit into a Buchner funnel a filter paper, previously prepared as follows: Place a paper of appropriate size in a flat bottom dish, uncovered but provided with a tight fitting cover. Dry for 2 hours at the temperature of boiling water, cover dish, cool in a desiccator, and weigh at once. Transfer contents of beaker to Buchner funnel, filter with suction, and wash material on filter with 80 per cent alcohol until washings are clear and colorless. Transfer filter paper and alcohol insoluble solids to the dish used in the preparation of the filter paper, dry uncovered for 2 hours at the temperature of boiling water, place cover on dish, cool in a desiccator, and weigh at once. From this weight deduct weight of dish, cover and paper to determine weight of alcohol insoluble solids. Calculate percentage.

SUBSTANDARD QUALITY STATEMENT

68. Canned peas which fail to meet the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard," the explanatory statement, except as provided in section (a), "Low Quality But Not Illegal."

(a) When canned peas fail to meet the above standard only in that they are artificially colored, the explanatory statement shall be "Because artificially colored."

STANDARD REQUIREMENT FOR FILL OF CONTAINER

69. Canned peas are of standard fill with respect to packing medium when the proportion of free liquid in the product is such that when the contents of the container are poured out and poured back into the container standing on a level surface, and the peas leveled without downward pressure, the liquid does not completely cover the peas after being allowed to stand for 15 seconds: Provided, That when the declared net weight is sufficient to fill the container to 90 per cent or more of its capacity, liquid in excess of such declared net weight shall be removed before making the test.

SUBSTANDARD FILL STATEMENT

70. Canned peas which fail to meet the above requirement shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

WHAT'S DOING IN CONGRESS

Patman Bill Goes to President—Compromise Made on the Tax Bill

As the Information Letter goes to press the Congressional leaders seem confident that adjournment will come some time Saturday night, although it is admitted that in the Senate a few members can upset this plan if so disposed. A determination to filibuster on the tax bill will delay adjournment, but such a threat against most other bills will probably kill such measures. The relief bill has been approved and is therefore no longer a threat to adjournment. The Patman Bill is also out of the way, but the Healey-Walsh Bill is in a precarious position. Of the minor bills of interest to canners, some may step through in the final rush and others be passed over.

Government-Contracts Bill

Proponents of the Healey-Walsh Bill seem confident that it will be squeezed through at the last moment. Approval in the House seems certain and it is reported that an agreement has been reached whereby the House amendment will be accepted by the Senate, thus obviating the necessity of sending it to conference. So earnest is the effort to adjourn Saturday, however, that a threat to debate the bill at length would undoubtedly kill it. The Administration and the labor unions are exerting unusual pressure to get it through.

Tax Bill

The conferees have agreed upon a compromise tax bill that resembles the House bill more nearly than the Senate bill, and it is the intention to rush the revised measure through both houses on the twentieth. Instead of the Senate proposal of a flat 7 per cent on undistributed corporate income, the conference bill imposes a graduated tax ranging from 7 per cent on the first 10 per cent retained to 27 per cent on the final 40 per cent. The maximum in the original House bill was 42 per cent. Unlike the House bill, the conference bill retains the old corporate income tax principle, with levies ranging from 8 per cent on the first \$2,000 to 15 per cent on all in excess of \$40,000. The present rates are graduated from 12½ to 15 per cent. Dividends to individuals are to be taxed at the normal rate. The capital stock tax rate is set at \$1.00 per thousand instead of the present \$1.40. The "windfall" tax is to be 80 per cent.

Exemptions from the undistributed income tax are provided for corporations under contract not to pay dividends and also for those under contract to repay indebtedness out of current revenues.

The conferees agreed to omit the Senate amendment intended to enable canners who exported products containing tax-paid sugar to obtain refunds on goods exported up to September 1, 1936, instead of to January 6, 1936, as proposed in the House bill.

Patman Bill Through Congress

Both the House and Senate have approved the conference report on what might be termed the Patman-Robinson-Borah-Van Nuys Bill, and it is now at the White House awaiting the signature of the President. There is still a rumor that there will be a "pocket veto," but this is not generally credited. In its final form the bill is identical with that printed in the Information Letter for June 13th. An analysis by Association's counsel will appear in the next number of the Information Letter.

Lobby Bill Shelved

The House by a vote of 264 to 77 rejected the conference report on the Black-Smith Bill to regulate lobbying, and followed this action by a vote to lay the proposed Senate amendment on the table, thus destroying any possibility of getting the matter before the House again during the few remaining days of the session.

The strength of the opposition came as something of a surprise to most Washington observers, as the Senate and House had each passed bills by majorities that indicated a determination to do something about lobbying. The change in attitude was explained on the floor to have resulted from

a conviction that the proposed legislation would most directly affect the American Federation of Labor, the Union of Social Justice, the Townsend organization, the Legion, and other groups that have spokesmen in the House.

Frozen and Preserved Fruits in Cold Storage

The following table shows the holding of fruits in cold storage reported by the Bureau of Agricultural Economics as of June 1st, also a comparison with last year and with a five-year average:

| | June 1, 1936 | June 1, 1935 | Five-year average |
|------------------------------|-----------------|-----------------|----------------------|
| Apples: | | | |
| Barrels | 23,000 | 17,000 | 42,000 |
| Boxes | 1,082,000 | 562,000 | 1,020,000 |
| Baskets | 854,000 | 468,000 | 413,000 |
| Pears: | | | |
| Boxes | 12,000 | 8,000 | 23,000 |
| Baskets | 1,000 | 1,000 | 2,000 |
| Frozen and preserved fruits: | | | |
| Pounds | 56,968,000 | 43,840,000 | 56,940,000 |

California Canned Fruit Carryover

The following table shows the stocks of canned fruits in hands of California Canners on June 1, 1932 to 1936, as reported by the Canners League. The stocks are stated in cases of 24 No. 2½ cans.

| Year | Apricots Cases | Cherries Cases | Pears Cases | Free peaches Cases | Cling peaches Cases |
|------------|-------------------|-------------------|----------------|--------------------------|---------------------------|
| 1932 | 514,547 | 44,034 | 473,446 | 18,776 | 4,845,000 |
| 1933 | 323,257 | 26,915 | 177,057 | 1,920 | 1,359,000 |
| 1934 | 166,820 | 86,547 | 154,401 | 1,746 | 2,388,702 |
| 1935 | 226,664 | 22,036 | 651,116 | 20,494 | 1,835,681 |
| 1936 | 844,012 | 20,628 | 281,464 | 112,591 | 1,929,309 |

Reports of Canners' Schools

Mimeographed summaries have been issued covering the addresses made at conferences for canners and field men held in Michigan, Ohio, and Maryland since the first of the year. These have been supplied by the several universities to those attending the conferences. A limited number of additional copies is available and will be supplied on request to the respective institutions. Inquiries should be addressed to Mr. J. H. Boyd, Extension Specialist, Ohio State University, Columbus, Ohio; Dr. C. H. Mahoney, Michigan Agricultural Experiment Station, East Lansing, Michigan; Dr. W. A. Frazier, Department of Horticulture, University of Maryland, College Park, Maryland.

Social Security Developments

With the signing of South Carolina's unemployment compensation law by the governor of that state, the number of jurisdictions with such legislation is brought to fourteen. South Carolina's law becomes effective, with respect to contributions, on July 1st.

The unemployment compensation law of the state of Rhode Island has been approved as meeting the requirements of Title IX of the Social Security Act.

SUPPLY AND DISTRIBUTION OF CANNED PEAS

| | 1934-35 | | | 1935-36 | | |
|---|-------------------------|------------------------|-----------------------|-------------------------|------------------------|-----------------------|
| | Alaskas Actual cases | Sweets Actual cases | Total Actual cases | Alaskas Actual cases | Sweets Actual cases | Total Actual cases |
| Stocks June 1 (beginning of year)..... | 45,176 | 304,114 | 349,290 | 95,217 | 175,327 | 270,544 |
| Pack..... | 6,478,901 | 8,880,752 | 15,359,653 | 12,423,641 | 11,338,683 | 23,762,324 |
| Total supply..... | 6,524,077 | 9,184,866 | 15,708,943 | 12,518,858 | 11,514,010 | 24,032,868 |
| Shipments, June, July, and August..... | 4,685,250 | 3,687,363 | 8,372,613 | 5,329,993 | 3,779,900 | 9,109,893 |
| Stocks, September 1..... | 1,838,827 | 5,497,503 | 7,336,330 | 7,188,865 | 7,734,110 | 14,922,975 |
| Shipments, Sept., Oct., and Nov..... | 844,690 | 3,020,552 | 3,865,242 | 2,097,417 | 2,522,477 | 4,619,894 |
| Stocks, December 1..... | 994,137 | 2,476,951 | 3,471,088 | 5,091,448 | 5,211,633 | 10,303,081 |
| Shipments, Dec., Jan., and Feb..... | 686,160 | 1,575,030 | 2,261,190 | 1,589,801 | 1,794,330 | 3,384,131 |
| Stocks, March 1..... | 307,977 | 901,921 | 1,209,898 | 3,501,647 | 3,417,303 | 6,918,950 |
| Shipments, March, April, and May..... | 212,760 | 726,594 | 939,354 | 1,512,700 | 1,742,324 | 3,255,024 |
| Stocks June 1 (end of year)..... | 95,217 | 175,327 | 270,544 | 1,988,947 | 1,674,979 | 3,663,926 |
| Total shipments (June 1 to May 31)..... | 6,428,860 | 9,009,539 | 15,438,399 | 10,529,911 | 9,839,031 | 20,368,942 |

SALMON TREATY RATIFIED

Senate in Approving Long Pending Treaty Adds Three Reservations

The Senate has consented to the ratification of a treaty with Canada, pending since 1930, the purpose of which is to protect, preserve, and extend the sockeye salmon fisheries of the Fraser River system. It provides that the purposes of the treaty shall be carried out by a commission to be known as the International Pacific Salmon Fisheries Commission.

As a result of negotiations between interested parties in the State of Washington and British Columbia, three reservations were put before the Senate and agreed upon. These will now have to be approved by the Canadian Government, which had already ratified the treaty as originally signed.

(1) That the International Pacific Salmon Fisheries Commission shall have no power to authorize any type of fishing gear contrary to the laws of the State of Washington or the Dominion of Canada;

(2) That the Commission shall not promulgate or enforce regulations until the scientific investigations provided for in the convention have been made, covering two cycles of sockeye salmon runs, or 8 years; and

(3) That the Commission shall set up an advisory committee composed of five persons from each country who shall be representatives of the various branches of the industry (purse seine, gill net, troll, sport fishing, and one other), which advisory committee shall be invited to all non-executive meetings of the Commission and shall be given full opportunity to examine and to be heard on all proposed orders, regulations, or recommendations.

Control of Mexican Bean Beetle

The Bureau of Entomology and Plant Quarantine of the U. S. Department of Agriculture has just issued a revision

of their circular E-349, which contains recommendations for the control of Mexican bean beetle in the east. Copies may be secured from the Bureau on request.

The circular states that recent investigations have shown that derris or cube applied as a spray or in dust form, or cryolite applied as a spray or in dust form, give good control when properly applied. In general, sprays are recommended in preference to dusts. The materials should be applied to the under sides of the leaves after the beetles become numerous or egg masses appear. The statement includes detailed formulas and directions for preparing the insecticides mentioned. Cryolite or insecticides containing arsenicals should not be applied to beans after the pods have begun to form.

It is recommended that crop remnants be plowed under at least 6 inches deep after harvest, and this is as important in controlling the bean beetle as spraying or dusting.

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